

COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
MAY 17, 2005

1. WORKSHOP MEETING

- 1.1 Council President Wilson called the City Council & Local Contract Review Board meeting to order at 6:31 p.m.
- 1.2 Council Present: Council President Wilson; Councilors Harding, Sherwood, and Woodruff
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non-Agenda Items: None

2. JOINT MEETING WITH THE DOWNTOWN TASK FORCE TO HEAR AN UPDATE ON THE DOWNTOWN PLAN

Downtown Task Force Members Present: Mike Marr, Chair; Task Force Members Jim Andrews, Carolyn Barkley, Martha Bishop, Judy Munro, and Jan Richardson

Community Development Director Hendryx introduced this agenda item. Display boards were reviewed on the following topics:

- Updated Schedule (5/9/05) – Downtown Task Force/Downtown Improvement Plan
- Flow chart: Looking Ahead: Making the Plan Happen
- Table: Implementation Program: Downtown Improvement Plan
- Table: Urban Renewal Program
- Flow chart: Developing the Urban Renewal Plan
- Flow chart: Implementing the Urban Renewal Plan

Chair Marr reported that the Downtown Plan process is on schedule for the most part. He anticipates the consultant will recommend some adjustments to the timeline. The final adoption of the plan is now scheduled for September.

Chair Marr reviewed what remains to be accomplished including securing funding, brand Tigard development, and adoption of an implementation plan.

Interviews were conducted last Friday for consultants to assist with the production of an urban renewal plan and a public involvement plan.

Chair Marr advised that people in the community are asking questions. He noted the difficulty in responding to these questions since the plan is conceptual.

Chair Marr said he hoped that funding identified in the Capital Improvements Program would be approved.

Task Force Member Munro said she would like to see the City capitalize on the current impetus of the Task force and community. She noted appreciation for the support of the City Council and staff.

Interim City Manager Prosser noted that, last night, the Budget Committee approved the Capital Improvements Program and also approved staff positions to support the downtown effort.

Community Development Director Hendryx summarized highlights of "Making the Plan Happen," which included an outline of catalyst projects – both public and private. Smaller "brand Tigard design" projects are to be identified and implemented along with major catalyst projects such as street improvements designed to stimulate future private development.

In response to an observation by Councilor Woodruff, discussion followed on "catalyst" projects. It was noted that the post office and police department have been in the downtown for years and they have not "spurred" any development activity. One idea was that the Federal government might want to relocate the post office to another downtown location and the current post office property could be redeveloped.

After brief discussion, Planning Manager Shields advised the City Council will have an opportunity to explore ideas on catalyst projects.

Chair Marr noted the need to acknowledge that the plan is designed to be flexible as it evolves over the next 20 years to respond to market conditions and changes in circumstances. This is a starting point – all is conceptual. Planning Manager Shields added that the plan is also based on input received during the previous public involvement process.

Discussion occurred on the following:

- Councilor Woodruff noted that the post office is a major component for the downtown.
- When used for the downtown, is the term "brand Tigard" confusing considering the City's overall goal for "brand Tigard"? Community Development Director Hendryx noted the purpose is to identify what is unique about Tigard and that this could tie in with the larger goal.
- Funding elements will also get rolled into the catalyst projects.
- Continue to keep the downtown project open and visible – include all who want to participate.

- Community Development Director Hendryx reviewed work that needed to be accomplished by the end of June.
- More than 400 people have been involved in this process (dialog meetings, open house).
- The State of Oregon gave a three-month extension on the TGM grant.
- Consultant work on the TGM grant, public outreach, and the urban renewal plan all need to be coordinated in order to meet the May 9, 2006, deadlines for a ballot measure.
- Chair Marr noted that CWS is considering addressing some environmental issues at their expense.

(Note: Item No. 4 was discussed at this time, after which the Council returned to Agenda Item No. 3)

3. JOINT MEETING WITH THE PARK AND RECREATION ADVISORY BOARD

Information was distributed to the City Council pertaining the PRAB's plans to make presentations to the community following a Park and Recreation Attitude and Interest Survey.

PRAB Chair Carl Switzer spoke to the Council about the survey and the Board's desire to gain additional input from the community to determine if there is momentum for something to be done; perhaps, a ballot measure to fund parks and open spaces. Discussion followed on efforts of the PRAB with it being noted that care should be taken so the public does not think a ballot measure proposal is a "done deal."

Discussion topics included the following:

- Issues as outlined in the agenda item summary, which is on file with the City Recorder.
- Obtaining as much feedback as possible to determine support for adding to the City's parks or recreation programs.
- No properties have been designated at this time for purchase.
- A draft resolution was distributed to the City Council outlining principles when considering the location and purchase of park and open space properties.
- A map showing areas served (underserved) with parks was distributed and reviewed.
- Reference was made to a previous City Council discussion to consider the purchase of park land outside the City limits when property is available.
- Discussed that PRAB is receiving a lot of input from citizens about potential park properties.
- Discussed how SDC funding works and that SDC expenditures are regulated.
- Staff is currently working on a composite list of all the properties that have come in from various sources.

- An Executive Session with the City Council has been scheduled so the City Council can review information about negotiations for potential land purchases.
- Discussed that citizen members of the Budget Committee will meet with the Citizens for Community Involvement (CCI) to review the City's financial forecasts to look at needs citywide to determine "what we can do, what we can't do." Interim City Manager Prosser said he hoped the PRAB member to the CCI would be active in this discussion.
- Public Works Director Koellermeier asked City Council to review the draft resolution and get back to staff with input. The resolution will be scheduled for review and consideration by the City Council at an upcoming meeting.
- Discussed the issue of alcohol in the parks. A letter sent to the Tigard Times by Chair Switzer was distributed to the City Council. (A copy of this letter is on file in the City Recorder's office.) Chair Switzer advised that the public has been surprisingly quiet on this subject.
- Draft presentation materials were distributed to the City Council. The consensus of the City Council was that PRAB could proceed to do their community outreach with the materials as presented. Councilor Woodruff again cautioned that it should be made clear that no decision has been made on proceeding with a ballot measure to fund parks and recreation, but he indicated he was supportive of PRAB going out to get more public input as a follow up to their survey.
- Councilor Harding suggested that the survey data be coordinated with information obtained from the Vision Task Force Survey.

4. PRESENTATION ON THE TUALATIN RIVER NATIONAL REFUGE

Volunteer Norm Penner representing the Tualatin River National Refuge introduced this agenda item. The Tualatin River Refuge is a developing refuge and one of ten urban refuges in the National Wildlife Refuge System. Refuge habitats consist of shrub, wetlands, riparian forests, oak and pine grassland, meadows, and mixed deciduous/coniferous forests common to Western Oregon prior to settlement. When final acquisition is completed, the refuge will total over 3,000 acres and preserve a floodplain wetland ecosystem.

Kim Strassberg, Outdoor Recreation Planner for the Tualatin River National Wildlife Refuge – US Fish & Wildlife Service reviewed the resources soon to be available to the public from this 3,060 wildlife refuge, established in 1992. A packet of information, including a map is on file in the City Recorder's office.

Mr. Penner, President of the Friends of the Tualatin River National Wildlife Refuge reviewed the accomplishments of this organization, which are summarized in the Council agenda item summary on file in the City Recorder's office.

A letter of support to Federal officials supporting visitor center funding has been prepared. Councilor Wilson indicated he would sign the letter in the Mayor's absence due to time sensitivity.

Mr. Penner said the Refuge had not been actively promoted over the last ten years because it was not open to the public. It is hoped that the refuge would be open late this year with a big celebration being planned for May 2006.

Council members noted the City's support for the Refuge. One of the City Council goals is for more parks and open space.

5. BRANDING/GRAPHIC IDENTITY CONSULTANT INTERVIEWS

Assistant to the City Manager Newton introduced this agenda item, noting that Juli Page and Glenn Marcusen were available to be interviewed by the City Council as the Council considers who to select to work with the City on branding and graphic identity.

Juli Page –

Noted she was a long-resident of Tigard. She says she teams up with a production company. She reviewed her approach would be to meet with the Council to gather information. She reviewed guidelines about how a corporate identity could be established. Ms. Page advised that what separates her apart is that she is a good project manager, is organized and detail oriented. She presented the City Council with example of the work she has done in the past.

Glenn Marcusen

Reviewed a book of samples showing how a concept was developed. He described his collaborative style stating that he would expect to work through numerous iterations with the City Council and with input from many people. He described the good elements of a logo and noted it should be reproducible in one color. He emphasized his teamwork approach to the project.

Council meeting recessed at 8:53 p.m.

Council meeting reconvened at 8:58 p.m.

Council consensus was to reflect on the presentations heard this evening and then discuss this matter again during the Study Session on May 26, 2005.

6. DISCUSSION OF MEASURE 37 DECISION-MAKING ENTITY

Community Development Director Hendryx presented the staff report. In December 2004, the Tigard Municipal Code (TMC) was amended by Council to identify the process for evaluating Measure 37 claims. After an evaluation and

staff report, a public hearing is to be held before a "Decision Maker." The Decision Maker must evaluate the claim and render a decision within 180 days of filing the claim. The TMC (1.20.090) establishes that Council had the initial responsibility to act as the Decision Maker; however, authority exists in the TMC for Council to delegate that authority to another board, commission or individual.

After brief discussion, City Council consensus was to follow staff's recommendation to have the City Council initially act as the Decision Maker for Measure 37 claims and then decide at a later date if they would like to delegate it to another body, commission, or individual.

7. DISCUSSION OF AN INFORMATIONAL SUMMARY REPORT REGARDING THE URBAN SERVICES AREA

(City Recorder's Note: A transcript of the audio tape was prepared for this agenda item. The transcript is on file in the City Recorder's office.)

Community Development Director Hendryx facilitated the discussion on this agenda item. He gave the background of the Urban Services Agreement (referred to as "IGA" in summary below) with Washington County. The staff report materials summarized the intent of the IGA. The purpose of tonight's discussion was to ask for City Council direction on whether it wants to continue with the IGA.

Community Development Director Hendryx referred to pros and cons of continuing with the agreement. The County has long recognized the City of Tigard as being the ultimate service provider for areas in Tigard's urban service boundary. The IGA has reinforced the probability of eventual annexation of the urban services area to Tigard, which is consistent with the Comprehensive Plan and consistent with the County 2000 report. The County is willing to look at participating in the upcoming review of the Tigard Comprehensive Plan update. The IGA has established the foundation for designating Tigard as the ultimate service provider for urban growth areas 63 and 64. There has been a long policy of support for the IGA.

Discussion followed:

- What assurances are there that the City will become the service provider for Areas 63 and 64? Community Development Director Hendryx reported that there have been past discussions between the City of Tigard and Washington County wherein the County has indicated the City should become the service provider.
- A review of the urban growth boundary, including the County's relationship with all jurisdictions. Also discussed was the Oregon land use planning system regulations.

- The Washington County Comprehensive Plan identified areas that would ultimately be served by the cities of Tigard, Hillsboro, and Beaverton.
- The Community Plan identifies Tigard as the ultimate service provider.
- Preceding the IGA, there were cooperative agreements specifying a planning system and coordination.
- The County did the planning for the area which was in Tigard's area of interest.
- Reviewed that there was a public process when the Bull Mountain Community Plan was established.
- Senate Bill 122 further recognized that "urbanizable" areas would ultimately have services provided by cities.
- The IGA with Washington County identified the City of Tigard's planning area (1983). There was a public process.
- Washington County indicated it was concerned that the City of Tigard might be considering terminating the IGA.
- The IGA is one of several agreements. If the City was to step away from ever providing services to the identified areas in unincorporated Washington County, a series of agreements would need to be renegotiated and the ultimate service deliverer would need to be identified. (Provisions of SB 122)
- Councilor Wilson noted he thought the City should continue with the IGA; however, he had concerns that because Tigard does development review for the area that this communicates that Tigard is responsible for the planning in the area. In the long run, he said he considered whether the IGA helps with the annexation issue and, in some ways, it might be better to provide no urban services.
- Community Development Director Hendryx reiterated that the IGA is one of many agreements.
- Councilor Woodruff noted that 69 percent of City of Tigard residents who voted on the annexation question indicated they thought the Bull Mountain Annexation should occur.
- Councilor Sherwood noted there has been no objections raised by City of Tigard residents with regard to the IGA.

- Interim City Manager Prosser advised he heard from three Councilors that they do not wish to change the IGA. He asked for comments from Councilor Harding.
- Councilor Harding noted concerns about the TMC being applied to the Bull Mountain area and whether there had been a public process. She also reviewed her concerns with expenditures of TIF funds collected from the Bull Mountain area, but applied elsewhere (Gaarde, Walnut). She suggested work be done to show Bull Mountain residents "how we can work together" so they would want to annex to the City of Tigard. She also noted concerns about information she was told (prior to her taking office) that there was no way the City could get out of the IGA. She also noted issues she had about being provided (timeliness) with a copy of the IGA so she could review it; she now has a copy of the IGA. She summarized by saying research needs to be done to consider all the facts to bring this issue to closure. "...We have to look at what's going to work for both sides..."
- Community Development Director Hendryx responded to some of the concerns noted by Councilor Harding:
 - There was a public process at the time the County adopted the City's land use regulations to be applied to the urban services area (Walnut Island, Bull Mountain, and some areas by the river).
 - There were public open houses. There were notices to every citizen of the pending land use decision and that the City of Tigard would be providing services (development review, building inspection, street maintenance).
- There was discussion on the traffic impact fee (TIF). (Note: During this discussion there was an objection about the IGA from a member of the audience. See transcript on file in the City Recorder's office, Page 10.) Interim City Manager Prosser explained that the traffic impact fee is to be used on roads of county-wide impact. The TIF fee was collected from Walnut Island and was accounted for separately. The City of Tigard, by letter, requested authority from the County to spend money on that area that was recently annexed. The County granted this authority and recognized that improvements in the Walnut Island area would address problems that served not only Walnut Island, but also Bull Mountain. The funds were accounted for and spent appropriately.
- Interim City Manager Prosser described that projects must be from the County-wide plan. Projects are approved by the County to service roads that have county-wide impact. One of the issues that has developed over time is Bull Mountain Road and the Capital Improvement Program has identified Bull Mountain and Roshak Road as a priority. "There were no loopholes."

- Interim City Manager Prosser described the reasoning for a system development charges, whether a TIF or park SDC, which to be spent to improve the system. Funds are not required to be spent in the exact area where it is collected; funds are expended to improve the system.
- In response to an observation by Councilor Harding, Community Development Director Hendryx acknowledged that the cost to the road in the Walnut Island area exceeded the amount of TIF collected from that area.
- Community Development Director Hendryx clarified that the IGA has always had a provision that there is an "out" clause – either party can terminate with mutual consent.
- Community Development Director Hendryx, in response to a question from Councilor Woodruff, agreed that a resident of the unincorporated area should take information to the County if the resident did not believe the City was living up to its part of the agreement or if the resident did not like the agreement.
- Councilor Wilson ended the discussion noting that there was Council consensus.

8. COUNCIL LIAISON REPORTS

Councilor Harding reported on a recent decision by the Metropolitan Area Communications Commission regarding a name change for public access television: TVCTV. (TVCT.org)

9. NON AGENDA ITEMS

Administrative Items:

Community Achievement – Request from Washington County Fair and Rodeo for nomination of an outstanding Tigard citizen/community volunteer for recognition at the Fair. Council consensus was to select Tigard resident Pat Biggs as the City's nominee, citing her 18 years of service on the School Board and her recent efforts for the skate park and the homeless shelter.

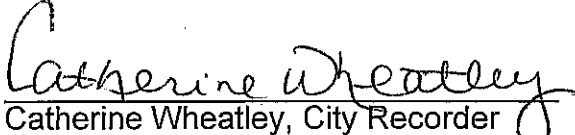
Council Calendar:

May 24	Council Business Meeting – 6:30 p.m. – Town Hall
May 30	Memorial Day Holiday, City Offices Closed
May 31	Fifth Tuesday Council Meeting – 7 p.m. – Library Community Room
June 14	Council Business Meeting – 6:30 p.m. – Town Hall
June 17-19	Tigard Festival of Balloons – Cook Park
June 21	Council Workshop Meeting – 6:30 p.m. – Town Hall

June 28 Council Business Meeting – 6:30 p.m. – Town Hall

10. EXECUTIVE SESSION: Not held.

11. ADJOURNMENT


Catherine Wheatley, City Recorder

Attest:



Mayor, City of Tigard

Date: 6-28-05

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